

**NOV 16 2004**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

USA PCT National Stage Patent Application  
PCT/EP01/03891 filed April 5, 2001

Albert Louis Victor Jozef Claessens

Serial No.: 09/980,227

Filed: March 25, 2002

**MOULDING SUITABLE FOR PHARMACEUTICAL  
APPLICATIONS AND METHOD FOR PRODUCTION THEREOF**

Examiner: Lien M Ngo  
Group art unit: 3727

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8 PAGES BY FAX TO: 703-872-9306  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

**REQUEST TO WITHDRAW NOTICE OF ABANDONMENT**


The PTO is respectfully requested to withdraw the Notice of Abandonment dated 11/04/04. A response (Election) (copy enclosed) to the Office Action of April 7, 2004 was timely filed and acknowledged as received in the US PTO. Enclosed also please find copies of its Diary entry and of its PTO acknowledged postcard receipt of its timely filing.

Respectfully submitted,  
Albert Louis Victor Jozef Claessens

by:   
MARTIN A. FARBER  
Attorney for Applicant  
Registered Representative  
Registration No. 22,345

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the accompanying paper is being facsimile transmitted to the Patent Office on November 16, 2004.

  
Signed by Martin A. Farber

Dated: November 16, 2004  
866 United Nations Plaza  
New York, NY 10017  
Tel (212) 758-2878  
Fax (212) 758-2913

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2004

128th day - 238 days follow

2004 12

10/466,175 Butler Bosch  
 Assignment of Con. stock, PTO-1595  
 \$10 to deposit account, C/m

09/980,227 Claessens Rude,  
 Election, C/m

10/476,629 Sufra Rich  
 request to acknowledge revocation of  
 power of attorney of new appointed  
 attorney & respond to notification  
 of Missing requirement & submission  
 to declaration, Creek #15817  
 \$130 surcharge, C/m.

PTO acknowledges receipt of:  
 No.: 09/980.227  
 Applicant: CYAL USA, INC.  
☐ Response to Notice to File Missing Parts  
☒ ~~Extension~~ Amendment Notification of Missing Requirements  
☐ Request and sheets of red inked corrections  
☐ Request for Extension of Time        MONTH(S) \$         
☐ Deposit order account forms \$        EXTRA: TOTAL  
☐ 096.85 x 11" / A4 size Sub. of Formal Drawings INDEP. CLAIMS  
☐ IDS, PTO-1449, Search Report,        References FIG(S).  
☐ Assignment and Recording Cover Sheet  
☐ Certified Priority Document(s)  
☐ Issue Fee PTO-85b and Suppl. Decl.  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,227	03/25/2002	Albert Louis Victor Jozef Claessens	23655IN2PCT/US	9957
	7590	11/04/2004	EXAMINER	
Martin A Farber Suite 473 866 United Nations Plaza New York, NY 10017			NGO, LIEN M	
			ART UNIT	PAPER NUMBER
			3727	

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

103 305 02

**Notice of Abandonment**

Application No.

09/880,227

Applicant(s)

CLAESSENS, ALBERT LOUIS  
VICTOR JOZEF

Examiner

LIEN TM NGO


Art Unit

3727

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 07 April 2004.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
 11/1/04

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office  
PTOL 1437 (Rev. 04-01)

Notice of Abandonment

Form of Patent No. 110104

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